

1 AN ACT in relation to criminal law.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Criminal Code of 1961 is amended by
5 changing Section 3-6 as follows:

6 (720 ILCS 5/3-6) (from Ch. 38, par. 3-6)

7 Sec. 3-6. Extended limitations. The period within which
8 a prosecution must be commenced under the provisions of
9 Section 3-5 or other applicable statute is extended under the
10 following conditions:

11 (a) A prosecution for theft involving a breach of a
12 fiduciary obligation to the aggrieved person may be commenced
13 as follows:

14 (1) If the aggrieved person is a minor or a person
15 under legal disability, then during the minority or legal
16 disability or within one year after the termination
17 thereof.

18 (2) In any other instance, within one year after
19 the discovery of the offense by an aggrieved person, or
20 by a person who has legal capacity to represent an
21 aggrieved person or has a legal duty to report the
22 offense, and is not himself or herself a party to the
23 offense; or in the absence of such discovery, within one
24 year after the proper prosecuting officer becomes aware
25 of the offense. However, in no such case is the period of
26 limitation so extended more than 3 years beyond the
27 expiration of the period otherwise applicable.

28 (b) A prosecution for any offense based upon misconduct
29 in office by a public officer or employee may be commenced
30 within one year after discovery of the offense by a person
31 having a legal duty to report such offense, or in the absence

1 of such discovery, within one year after the proper
2 prosecuting officer becomes aware of the offense. However, in
3 no such case is the period of limitation so extended more
4 than 3 years beyond the expiration of the period otherwise
5 applicable.

6 (c) Except as otherwise provided in subdivision (i) of
7 this Section, a prosecution for any offense involving sexual
8 conduct or sexual penetration, as defined in Section 12-12 of
9 this Code, where the victim and defendant are family members,
10 as defined in Section 12-12 of this Code, may be commenced
11 within one year of the victim attaining the age of 18 years.

12 (d) A prosecution for child pornography, indecent
13 solicitation of a child, soliciting for a juvenile
14 prostitute, juvenile pimping or exploitation of a child may
15 be commenced within one year of the victim attaining the age
16 of 18 years. However, in no such case shall the time period
17 for prosecution expire sooner than 3 years after the
18 commission of the offense. When the victim is under 18 years
19 of age, a prosecution for criminal sexual abuse may be
20 commenced within one year of the victim attaining the age of
21 18 years. However, in no such case shall the time period for
22 prosecution expire sooner than 3 years after the commission
23 of the offense.

24 (e) A prosecution for any offense involving sexual
25 conduct or sexual penetration, as defined in Section 12-12 of
26 this Code, where the defendant was within a professional or
27 fiduciary relationship or a purported professional or
28 fiduciary relationship with the victim at the time of the
29 commission of the offense may be commenced within one year
30 after the discovery of the offense by the victim.

31 (f) A prosecution for any offense set forth in Section
32 44 of the "Environmental Protection Act", approved June 29,
33 1970, as amended, may be commenced within 5 years after the
34 discovery of such an offense by a person or agency having the

1 legal duty to report the offense or in the absence of such
2 discovery, within 5 years after the proper prosecuting
3 officer becomes aware of the offense.

4 (g) (Blank).

5 (h) (Blank).

6 (i) A prosecution for criminal sexual assault,
7 aggravated criminal sexual assault, or aggravated criminal
8 sexual abuse may be commenced within 10 years after of the
9 commission of the offense ~~if the victim reported the offense~~
10 ~~to law enforcement authorities within 2 years after the~~
11 ~~commission of the offense.~~

12 When the victim is under 18 years of age at the time of
13 the offense ~~and the offender is a family member as defined in~~
14 ~~Section 12-12,~~ a prosecution for criminal sexual assault,
15 aggravated criminal sexual assault, predatory criminal sexual
16 assault of a child, or aggravated criminal sexual abuse may
17 be commenced within 10 years of the victim attaining the age
18 of 18 years.

19 ~~When the victim is under 18 years of age at the time of~~
20 ~~the offense and the offender is not a family member as~~
21 ~~defined in Section 12-12, a prosecution for criminal sexual~~
22 ~~assault, aggravated criminal sexual assault, predatory~~
23 ~~criminal sexual assault of a child, or aggravated criminal~~
24 ~~sexual abuse may be commenced within 10 years of the victim~~
25 ~~attaining the age of 18 years, if the victim reported the~~
26 ~~offense to law enforcement authorities before he or she~~
27 ~~attained the age of 21 years.~~ Nothing in this subdivision (i)
28 shall be construed to shorten a period within which a
29 prosecution must be commenced under any other provision of
30 this Section.

31 (Source: P.A. 91-475, eff. 1-1-00; 91-801, eff. 6-13-00.)

32 Section 99. Effective date. This Act takes effect upon
33 becoming law.